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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2020-

AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO ENTER INTO AND AMEND A MULTI-YEAR CONTRACT NOT TO EXCEED \$1 MILLION TO ESTABLISH AND ADMINISTER AN EXPERT PANEL PROCESS TO SUPPORT DIVISION OF DRINKING WATER IN CARRYING OUT LEGISLATIVE MANDATES RELATED TO AB 574 AND AB 1180

WHEREAS:

1. Assembly Bill 1180 (Chapter 455, Statutes of 2019) requires that the State Water Resources Control Board (State Water Board) update the uniform statewide criteria for non-potable recycled water uses established in the California Code of Regulations, Title 22, Division 4, Chapter 3 on or before January 1, 2023.
2. Assembly Bill 574 (Chapter 528, Statutes of 2017) requires that the State Water Board convene and administer an expert panel for the purposes of reviewing the proposed regulations for direct potable reuse and adopt a finding as to whether the proposed regulations, in its expert opinion, would adequately protect public health.
3. Assembly Bill 574 requires that the State Water Board adopt uniform statewide regulations for direct potable reuse via raw water augmentation by December 31, 2023, after the expert panel adopts a finding that the proposed regulations, in its expert opinion, would adequately protect public health.
4. Assembly Bill 574 requires that the State Water Board consult with the expert panel as needed regarding research and the need for additional research. After adoption of the regulations for direct potable reuse via raw water augmentation, AB 574 allows the State Water Board to reconvene or reestablish the expert panel, if necessary, to provide additional scientific and technological research or to recommend a source of existing research or new research to be conducted on raw water augmentation.
5. Assembly Bill 574 authorizes the State Water Board to contract with public or nonprofit research entities in establishing and administering the expert panel.
6. State Water Board staff estimate the initial cost of the expert panel work at \$700,000. Given the potential need to address unforeseen issues or extend the expert panel's work, the staff recommend the Board authorize the total contract amount not to exceed \$1 million.

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THEREFORE, BE IT RESOLVED THAT:

The State Water Board authorizes the Executive Director, or the Executive Director's designee:

1. To negotiate and enter into a new contract or amend an existing contract, in an amount not to exceed \$1 million to establish and administer an expert panel process for the purposes of reviewing the proposed regulations for direct potable reuse, consulting on scientific and technical research and other tasks related to AB 574, provide consultation on technical and scientific questions as needed related to the update of the uniform statewide criteria for non-potable recycled water uses per AB 1180, and to perform all the acts and implement all measures necessary to fulfill the objectives of the contract.
2. Except as otherwise specifically provided by the State Water Board, the Executive Director, or the Executive Director's designee shall be the duly authorized representative of the State Water Board for the purpose of making a final determination of any dispute arising under or relating to the performance of any contracts to which the State Water Board is a party.
3. This authorization shall remain in full force and effect until modified or revoked by the State Water Board.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on December 1, 2020.

Jeanine Townsend
Clerk to the Board